

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



LOLA B. THORPE, individually and on behalf of :
all other similarly situated,

: 08 Civ. 3888 (CM)

Plaintiff,

-v-

: MOTION TO ADMIT COUNSEL

ZIMMER, INC.; ZIMMER HOLDINGS, INC.; :
and ZIMMER US, INC.,

: PRO HAC VICE

Defendants.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the
Southern District of New York, I, Steven N. Williams, a member in good standing of the bar of
this Court, hereby move for an Order allowing the admission pro hac vice of

ARA RAY JABAGCHOURIAN
COTCHETT, PITRE & MCCARTHY
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577

ARA RAY JABAGCHOURIAN is a member in good standing of the Bar of the State of California.

There are no pending disciplinary proceeding against ARA RAY JABAGCHOURIAN in any State or Federal Court.

Dated: Burlingame, California
August 18, 2008

Respectfully Submitted

By:

Steve Williams

Steven N. Williams (SW-6198)
COTCHETT, PITRE & MCCARTHY
840 Malcolm Road
Burlingame, CA 94010
Telephone.: (650) 697-6000
Facsimile: (650) 697-0577

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LOLA B. THORPE, individually and on behalf of :	:	
all other similarly situated,	:	08 Civ. 3888 (CM)
	:	
Plaintiff,	:	AFFIDAVIT OF
-v-	:	STEVEN N. WILLIAMS
ZIMMER, INC.; ZIMMER HOLDINGS, INC.;	:	IN SUPPORT OF MOTION TO
and ZIMMER US, INC.,	:	ADMIT COUNSEL PRO HAC VICE
Defendants.	:	

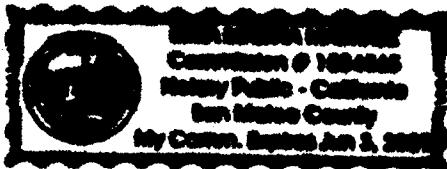
Steven N. Williams, being duly sworn, hereby deposes and says as follows:

1. I am a Partner at Cotchett, Pitre & McCarthy, counsel for Plaintiff in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff's motion to admit Ara R. Jabagchourian as counsel *pro hac vice* to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1993. I am also admitted to the Bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Ara R. Jabagchourian since 2003.
4. Mr. Jabagchourian is a Senior Associate at Cotchett, Pitre & McCarthy in Burlingame, California.
5. I have found Mr. Jabagchourian to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Ara R. Jabagchourian, *pro hac vice*.
7. I respectfully submit a proposed order granting the admission of Ara R. Jabagchourian, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Ara R. Jabagchourian, *pro hac vice*, to represent Plaintiff in the above captioned matter, be granted.

Dated: August 18, 2008
Burlingame, California

Notarized:



Respectfully submitted,



Steven N. Williams (SW-6198)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San MateoOn 8/18/08

Date

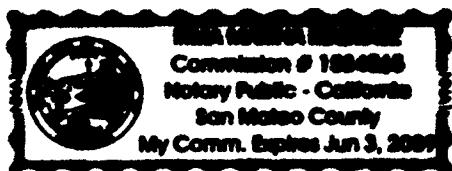
before me,

Irma Martinez

Here Insert Name and Title of the Officer

personally appeared Steven Williams

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Irma Martinez
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached DocumentTitle or Type of Document: Affidavit of Steven N WilliamsDocument Date: August 18, 2008 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

RIGHT THUMPRINT OF SIGNER
Top of thumb here
i

RIGHT THUMPRINT OF SIGNER
Top of thumb here
i



**THE STATE BAR
OF CALIFORNIA**

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

August 7, 2008

TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ARA RAY JABAGCHOURIAN, #205777 was admitted to the practice of law in this state by the Supreme Court of California on December 21, 1999; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

A handwritten signature of Kath Lambert.
Kath Lambert
Custodian of Membership Records

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LOLA B. THORPE, individually and on behalf of :	:	
all other similarly situated,	:	08 Civ. 3888 (CM)
	:	
Plaintiff,	:	
-v-	:	DECLARATION
	:	OF
ZIMMER, INC.; ZIMMER HOLDINGS, INC.;	:	ARA R. JABAGCHOURIAN
and ZIMMER US, INC.,	:	
	:	
Defendants.	:	
	:	

Ara R. Jabagchourian declares as follows pursuant to 28 U.S.C. § 1746:

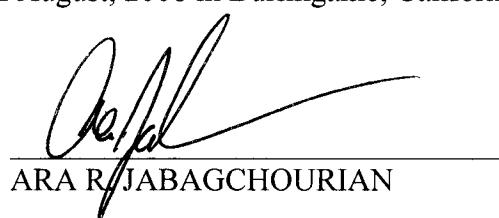
1. I am a Senior Associate with the firm of Cotchett, Pitre & McCarthy, counsel for Plaintiff in the above-captioned matter.
2. Cotchett, Pitre & McCarthy maintains an office at the San Francisco Office Center, 840 Malcolm Rd. Suite 200, Burlingame, California, 94010. The telephone number is (650) 697-6000 and the fax number is (650) 697-0577.
3. I submit this declaration in support of Plaintiff's Motion to Admit Counsel *pro hac vice* in connection with this action, pursuant to Local Civil Rule 1.3(c) of this Court.
4. I have been admitted to practice in the State of California since 1999, and I am in good standing in the California Bar. See Exhibit A (Certificate of Good Standing).
5. I also am admitted to practice before the United States District Courts for the Northern District of California (2001), Eastern District of California (2006), Central District of California (2006) and Southern District of California (2002).

6. I am familiar with the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the provisions of the Judicial Code that pertain to the jurisdiction of, and practice in, the United States District Courts, the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, and the Individual Rules of Practice of the Court.

7. I will adhere faithfully to all applicable rules in connection with my conduct before this Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 18 th day of August, 2008 in Burlingame, California.



ARA R JABAGCHOURIAN

**Lola B. Thorpe v. Zimmer, Inc.; Zimmer Holdings, Inc.; and Zimmer US, Inc.
USDC, Southern District of New York, New York - Case No.: CV 08-03888 CM**

PROOF OF SERVICE

I am employed in San Mateo County, which is where service of the document(s) referred to below occurred. I am over the age of 18 and not a party to the within action. My business address is Cotchett, Pitre & McCarthy, San Francisco Airport Center, 840 Malcolm Road, Suite 200, Burlingame, California 94010. I am readily familiar with Cotchett, Pitre & McCarthy's practices for the service of documents. On this date, I served a true copy of the following document(s) in the manner listed below:

**MOTION TO ADMIT PRO HAC VICE
(ARA RAY JABAGCHOURIAN)**

XXX BY FIRST CLASS MAIL: I am readily familiar with this firm's practice for collection and processing of correspondence for mailing. Following that practice, I placed a true copy of the aforementioned document(s) in a sealed envelope, addressed to each addressee, respectively, as specified below. The envelope was placed in the mail at my business address, with postage thereon fully prepaid, for deposit with the United States Postal Service on that same day in the ordinary course of business.

PLEASE SEE ATTACHED SERVICE LIST

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Burlingame, California, on August 26, 2008.

Tori Stevens

TONI STEVENS

1 *Lola B. Thorpe v. Zimmer, Inc.; Zimmer Holdings, Inc.; and Zimmer US, Inc.*
2 *USDC, Southern District of New York, New York - Case No.: CV 08-03888 CM*

4 **SERVICE LIST**

6 **VIA FIRST CLASS MAIL**

7 Andres F. Alonso
8 David B Krangle
9 Jerrold S. Parker
10 **PARKER WAICHMAN & ALONSO, LLP**
11 111 Great Neck Road
12 Great Neck, NY 11021

Attorneys for Plaintiff Lola B. Thorpe

11 **VIA FIRST CLASS MAIL**

12 Todd Geremia
13 **JONES DAY**
14 222 East 41st Street
15 New York, New York 10017-6702
16 Tel: (212) 326-3429

Attorneys for Defendants Zimmer, Inc.,
Zimmer Holdings, Inc. and Zimmer US,
Inc.

16 **VIA FIRST CLASS MAIL**

17 Ted Grossman
18 **JONES DAY**
19 901 Lakeside Avenue
20 Cleveland, Ohio 44114-1190
21 Tel: (216) 586-7268

Attorneys for Defendants Zimmer, Inc.,
Zimmer Holdings, Inc. and Zimmer US,
Inc.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LOLA B. THORPE, individually and on behalf of :	:	
all other similarly situated,	:	08 Civ. 3888 (CM)
	:	
Plaintiff,	:	ORDER FOR ADMISSION
-v-	:	PRO HAC VICE
ZIMMER, INC.; ZIMMER HOLDINGS, INC.;	:	ON WRITTEN MOTION
and ZIMMER US, INC.,	:	
	:	
Defendants.	:	
	:	

Upon the motion of Steven N. Williams attorney for Plaintiff, Lola B. Thorpe, and said sponsor attorney's affidavit in support:

IT IS HEREBY ORDERED that

ARA RAY JABAGCHOURIAN
Cotchett, Pitre & McCarthy
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Telephone: (650) 697-6000
Facsimile: (650) 697-0577
Email: fpitre@cpmlegal.com

is admitted to practice pro hac vice as counsel for Plaintiff, Lola B. Thorpe, in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: _____

City, State: _____

HONORABLE COLLEEN MCMAHON
United States District Judge